

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

AUSTIN DIVISION

HENRY H BETTIS, PLAINTIFF
SID 09-20929

FILED

CAUSE NO. 3

TRAVIS COUNTY JAIL
V.

MAY 27 2009

COMPLAINT UNDER THE
CIVIL RIGHTS ACT
42 U.S.C. -- 1983TRAVIS COUNTY JAIL,
SHERIFF'S DEPARTMENT
500 W 10th ST.
AUSTIN, TEXAS 78701CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY WJ
DEPUTY CLERK

A09CA 416JN

- I. NO PREVIOUS ACTIONS HAVE BEEN FILED BY PLAINTIFF IN STATE OR FEDERAL COURTS RELATING TO HIS TERMS OF CONFINEMENT.
- II. PLAINTIFF IS INCARCERATED IN THE TRAVIS COUNTY JAIL, 500 W. 10th ST., AUSTIN, TEXAS 78701, AND HAS BEEN SINCE APRIL 27, 2009.
- III. PLAINTIFF HAS EXHAUSTED HIS ADMINISTRATIVE REMEDIES BY FILING AT LEAST TWO GRIEVANCES WITH THE AUTHORITIES AT THIS FACILITY AND HAS NOT RECEIVED A RESPONSE AS OF THE DATE OF THIS FILING.
- IV. PLAINTIFF IN THIS MATTER: HENRY H. BETTIS, 09-20929, TRAVIS COUNTY JAIL, 500 W 10th ST., AUSTIN, TEXAS, 78701
- V. DEFENDANT(S) TRAVIS COUNTY SHERIFF'S DEPARTMENT, 500 W 10th, AUSTIN, TEXAS, 78701, AND GREGG HAMILTON, SHERIFF, TRAVIS COUNTY, TEXAS, 500 W 10th, AUSTIN, TEXAS, 78701, AND LT. REDPATH, SUPERVISOR, JAIL ADMINISTRATION, TRAVIS COUNTY JAIL, 500 W. 10th, AUSTIN, TEXAS, 78701, HAVE DENIED AND DELAYED ~~AND~~ MY ACCESS TO THE COURTS SINCE APRIL 27th, 2009 AND CONFISCATED MY TOOLS (IE PENS, CARBON PAPER, ENVELOPES, POSTAGE, ETC...) NEEDED AND REQUIRED TO DO MY LEGAL WORK AND SEARCHED ALL MY LEGAL MAIL, MOTIONS, DOCUMENTS WITHOUT MY BEING PRESENT, ALSO ~~DISSES~~ DISASSEMBLING, DAMAGING SAME, AND LOSING TWO DOCUMENTS, NOT RETURNED TO ME.
- VI. DEFENDANTS HAVE SEVERELY AND IRREPARABLY VIOLATED PLAINTIFF'S CIVIL RIGHTS BY
 - (A.) SEARCHING HIS LEGAL WORK WITHOUT HIS PRESENCE, DISASSEMBLING AND DAMAGING THEM, REMOVING THEM FROM THE ENVELOPES ADDRESSED TO THE COURT AND DISTRICT ATTORNEY, AND LOSING / NOT RETURNING TWO DOCUMENTS. AND FURTHER BY...
 - (B.) CONFISCATING / HOLDING HIS WRITING TOOLS AND INSTRUMENTS, ENVELOPES, PENS, CARBON PAPER AND POSTAGE BOUGHT AT A DES-ED INSTITUTION AND BROUGHT INTO THE TRAVIS COUNTY JAIL WHEN TRANSFERRED FROM TRAVIS STATE JAIL, AND REQUIRING HIM PURCHASE ITEMS CONFISCATED AND PLACED IN HIS PROPERTY IN THE PROPERTY HOLD, FROM THE COUNTY JAIL COMMISSARY, THEREBY DENIVING HIM HIS RIGHT TO ACCESS TO COURTS FROM APRIL 27, 2009, PLAINTIFF BEING INDIGENT, UNTIL MAY 20, 2009. PLAINTIFF HAD TO TRADE HIS INDIGENT SUPPLIED ENVELOPES TO BUY PENS FROM A FELLOW INMATE ON HIS HOUSING UNIT. ALSO, HE WAS NOT PROVIDED WITH THE TOOLS (PENS, ENVELOPES, ETC...) AND WRIT ENVELOPES REQUESTED FROM THE LAW LIBRARY TO TIMELY AND EFFECTIVELY CORRESPOND WITH THE COURTS AND ATTORNEY'S IN THE CAUSES PENDING THAT HE IS CURRENTLY WORKING ON TO RESOLVE.
- VII. PLAINTIFF SEEKS RELIEF IN THE FORM OF PUNITIVE DAMAGES OF \$48,000.00 AND COMPENSATORY DAMAGES OF \$48,000.00, ATTORNEY'S FEES, AND COURT COSTS, AND ADMONISHMENT OF THE SHERIFF AND JAIL ADMINISTRATORS.
- VIII. (A) NAMES PLAINTIFF IS KNOWN BY: HENRY H BETTIS III AND HENRY H BETTIS
(B) TDET-ID NUMBERS: 00783087 AND 1537002

IX. NO SANCTIONS EXIST, NOR HAVE EVER IN ANY LAWSUIT.

EXADUTED ON: MAY 21, 2009

~~Henry H. Betts III~~
HENRY H. BETTS III, PLAINTIFF

PLAINTIFF DECLARATIONS:

1. I DECLARE UNDER PENALTY OF PERJURY ALL FACTS PRESENTED IN THIS CAUSE/COMPLAINT AND ATTACHMENTS HERETO ARE TRUE AND CORRECT.
2. I UNDERSTAND IF I AM RELEASED OR TRANSFERRED, IT IS MY RESPONSIBILITY TO KEEP THE COURT INFORMED OF MY CURRENT MAILING ADDRESS AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF THIS LAWSUIT.
3. I UNDERSTAND THAT I MUST EXHAUST ALL AVAILABLE ADMINISTRATIVE REMEDIES PRIOR TO FILING THIS LAWSUIT.
4. I UNDERSTAND I AM PROHIBITED FROM BRINGING AN IN FORMA PAUPERIS LAWSUIT IF I HAVE BROUGHT THREE OR MORE CIVIL ACTIONS IN COURTS OF THE UNITED STATES WHILE INCARCERATED OR DETAINED IN ANY FACILITY, WHICH LAWSUITS WERE DISMISSED ON THE GROUNDS THEY WERE FRIVOLUS, MALICIOUS, OR FAILED TO STATE A CLAIM UPON WHICH RELIEF MAY BE GRANTED, UNLESS I AM UNDER IMMEDIATE DANGER OF SERIOUS PHYSICAL INJURY.
5. I UNDERSTAND THAT EVEN IF I AM ALLOWED TO PROCEED WITHOUT PREPAYMENT OF COSTS, I AM RESPONSIBLE FOR THE ENTIRE \$350 FILING FEE AND COSTS ASSESSED BY THE COURT, WHICH SHALL BE DEDUCTED IN ACCORDANCE WITH THE LAW FROM MY INMATE ACCOUNT BY MY CUSTODIANS UNTIL THE FILING FEE IS PAID.

SIGNED THIS 21ST DAY OF MAY, 2009.

~~Henry H. Betts III~~
HENRY H. BETTS III, PLAINTIFF